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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,768	04/14/2004	Misao Kobayashi	742158-10	4711

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EXAMINER	
COLILLA, DANIEL JAMES	

ART UNIT	PAPER NUMBER
2854	

NOTIFICATION DATE	DELIVERY MODE
03/03/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/823,768	KOBAYASHI, MISAO	
	Examiner	Art Unit	
	Daniel J. Colilla	2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 August 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 August 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/24/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 2 , 6 , 12 and 16 are objected to because of the following informalities:

In claims 2 and 12, the phrase, "which allows the part of the perforation blades to advance to the perforation position at every combination" appears to be inaccurate. It would appear that the part of the perforation blades would not be advance to the perforation position at *every* combination, but rather *only the combinations in which those particular perforation blades are used*. Perhaps applicant intended to mean, --at their respective combinations--.

In claims 6 and 16, line 4 of each, it appears that "the each" should actually be --each--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yaginuma *et al.* (US 7,073,706).

With respect to claim 1, Yaginuma *et al.* discloses a sheet perforation apparatus 50, including a carrying-in section 21 for carrying in a sheet; a plurality of perforation blades 68A-68E for conducting perforation processing to a sheet carried in to the carrying-in section; and a

slider 72, which sets the perforation blades to a selective plural combination (Yaginuma *et al.*, col. 7, lines 57-67-col. 8, lines 1-5), and which has an advance portion (slanted portions of 73A-73E) for advancing a part of the perforation blades to a perforation position where the perforation processing is conducted to the sheet according to the combination and an evacuation portion (straight portions of 73A-73E) for retaining perforation blades other than the part of the perforation blades at an evacuation position that is evacuated from the perforation position, and which supports all of the perforation blades so as the perforation blades to move freely between the evacuation position and the perforation position (for example, as shown in Figures 6G, 6F and 6E).

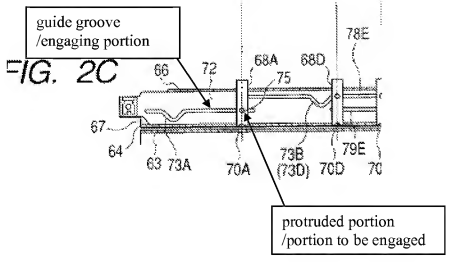
With respect to claim 2, the advance portion is constituted by a common member (the member 72) which allows the part of the perforation blades 68A-68E to advance to the perforation position at every combination.

With respect to claim 3, in col. 7, lines 46-51, Yaginuma *et al.* discloses that the perforation blades 68D and 68E used for the two-hole punching combination are disposed between the perforation blades 68A, 68B and 68D used for the three-hole punching combination (see Figure 2B).

With respect to claim 4, the slider 72 locates the perforation blades at their respective perforation positions and at their respective evacuation positions by moving to a predetermined position according to the combination as shown in Figures 6G-6E, for example.

With respect to claim 5, Yaginuma *et al.* discloses that each of the perforation blades 68A-68E has a protruded portion 75 (as shown below in the Figure taken from Figure 2C of Yaginuma *et al.*), and a predetermined-shape guide groove which engages the protruded portion

and which supports the perforation blades between the perforation position and the evacuation position is formed at the slider.



With respect to claim 6, as shown above, each of the perforation blades has a portion to be engaged, the slider 72 has an engaging portion which engages the portion to be engaged and which supports each of the perforation blades between the perforation position and the evacuation position.

With respect to claim 7, Yaginuma *et al.* discloses a slide holder 62,91 which supports the slider 72 so as to slide freely and which moves the slider 72 to the predetermined position (Yaginuma *et al.*, col. 9, lines 17-20).

With respect to claim 8, the frame portion 62 of holder 62,91 includes a bottom plate 64 which supports the slider 72 in a direction orthogonal to and advancing direction as shown in Figure 2B and 2C of Yaginuma *et al.*

With respect to claims 9 and 10, Yaginuma *et al.* discloses an actuator 92,94 for moving the slider 72 to the predetermined position (Yaginuma *et al.*, col. 9, lines 17-20).

With respect to claim 11, Yaginuma *et al.* discloses an image forming apparatus 2 with an image forming part 7, a conveying part 21 for conveying the sheet on which the image is formed by the image forming part, a plurality of perforation blades 68A-68E for conducting perforation processing to a sheet carried in to the carrying-in section; and a slider 72, which sets the perforation blades to a selective plural combination (Yaginuma *et al.*, col. 7, lines 57-67-col. 8, lines 1-5), and which has an advance portion (slanted portions of 73A-73E) for advancing a part of the perforation blades to a perforation position where the perforation processing is conducted to the sheet according to the combination and an evacuation portion (straight portions of 73A-73E) for retaining perforation blades other than the part of the perforation blades at an evacuation position that is evacuated from the perforation position, and which supports all of the perforation blades so as the perforation blades to move freely between the evacuation position and the perforation position (for example, as shown in Figures 6G, 6F and 6E).

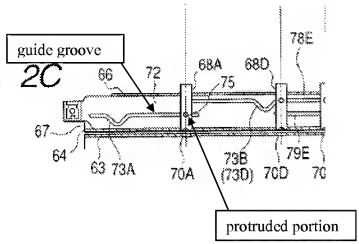
With respect to claim 12, the advance portion is constituted by a common member (the member 72) which allows the part of the perforation blades 68A-68E to advance to the perforation position at every combination.

With respect to claim 13, in col. 7, lines 46-51, Yaginuma *et al.* discloses that the perforation blades 68D and 68E used for the two-hole punching combination are disposed between the perforation blades 68A, 68B and 68D used for the three-hole punching combination (see Figure 2B).

With respect to claim 14, the slider 72 locates the perforation blades at their respective perforation positions and at their respective evacuation positions by moving to a predetermined position according to the combination as shown in Figures 6G-6E, for example.

With respect to claim 15, Yaginuma *et al.* discloses that each of the perforation blades 68A-68E has a protruded portion 75 (as shown below in the Figure taken from Figure 2C of Yaginuma *et al.*), and a predetermined-shape guide groove which engages the protruded portion and which supports the perforation blades between the perforation position and the evacuation position is formed at the slider.

FIG. 2C



With respect to claim 16, as shown above, each of the perforation blades has a portion to be engaged, the slider 72 has an engaging portion which engages the portion to be engaged and which supports each of the perforation blades between the perforation position and the evacuation position.

With respect to claim 17, Yaginuma *et al.* discloses a slide holder 91 which supports the slider 72 so as to slide freely and which moves the slider 72 to the predetermined position (Yaginuma *et al.*, col. 9, lines 17-20).

With respect to claim 18, the frame portion 62 of holder 62,91 includes a bottom plate 64 which supports the slider 72 in a direction orthogonal to and advancing direction as shown in Figure 2B and 2C of Yaginuma *et al.*

With respect to claims 19 and 20, Yaginuma *et al.* discloses an actuator 92,94 for moving the slider 72 to the predetermined position (Yaginuma *et al.*, col. 9, lines 17-20).

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fukumoto *et al.*, Shinno *et al.*, Harada *et al.* and Kimata are cited to show other examples of sheet perforation apparatus with axial moving slide members.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached at 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

March 1, 2008

/Daniel J. Colilla/
Primary Examiner
Art Unit 2854